UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/50/216
S/1995/476
12 June 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Items 39, 75 and 81 of
the preliminary list*
LAW OF THE SEA
STRENGTHENING OF SECURITY
AND COOPERATION IN THE
MEDITERRANEAN REGION
MAINTENANCE OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 9 June 1995 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

Upon instructions of my Government and referring to the resolution adopted yesterday, 8 June 1995, by the Turkish National Assembly through which it transfers to the Turkish Government its competences, including those that will be deemed necessary, from a military point of view, for the maintenance and the defence of the vital interests of Turkey if Greece implements the Convention on the Law of the Sea, which the Greek Parliament ratified last week, I would like to bring the following to your attention.

It is beyond any doubt that the above-mentioned resolution constitutes a direct violation of article 2, paragraph 4, of the Charter of the United Nations, which stipulates that "all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State", as well as of many similar provisions of international treaties and conventions. What Turkey is in fact attempting to do is to intimidate Greece into forfeiting a right acknowledged to all signatory parties, by article 3 of the 1982 Convention on the Law of the Sea, and already exercised by a large number of States.

* A/50/50/Rev.1.

It is not the first time that Turkey flagrantly violates international law. It should be noted however that this time the contempt of international lawderives from the legislative body of a country which, having already been charged with past and recent violations of international law, is seeking closer political and economic cooperation with the democratic countries of the European Union.

The Greek Government attaches a particular importance to the Turkish threat, all the more so since the latter emanates from a neighbouring and allied country and is not, obviously, intended to prevent the commitment of an illegal act, but, on the contrary, to prevent the implementation of rules and rights deriving from international law.

The argument contained in the said resolution, namely that the legal status of the Aegean Sea has been defined by the Treaty of Lausanne of 1923 and that an eventual decision of the Greek side to extend its national territorial waters to 12 miles would reverse this status, is totally unfounded, since the rights of the coastal countries are defined by the international law of the sea, both conventional and customary.

Moreover, the Turkish allegation regarding the obstruction of the freedom of navigation in the Aegean Sea is also unfounded, since Greece has always made clear that it does not intend to deprive ships of other nations of their right of innocent passage, in conformity with international law.

In the same context, it should be noted that Turkey, contrary to the provisions of the Montreaux Convention of 1936 on the Status of the Straits, has recently adopted domestic legislation, imposing serious restrictions on the freedom of navigation through the straits.

The fact that the Turkish National Assembly has decided to transfer to the Turkish Government its above-mentioned competences confirms very clearly the well-known Turkish claims against the Greek islands of the Aegean and the sovereign rights of Greece regarding its national territorial waters and airspace.

It should be underlined that the said resolution of the Turkish National Assembly is only one of a series of recent Turkish provocative acts that lead to the conclusion that Turkey is seeking the deterioration of Greek-Turkish relations, thus creating dangerous implications for peace and stability in the region.

In the light of the above, a comparison of the difference in mentality between the two countries is inevitable, since Turkey's target seems to be the deterioration of the political climate in the Balkans, while Greece is undertaking serious and difficult initiatives in an effort to restore peace in the same area.

In concluding, I would like to reiterate the official position of the Greek Government that Greece intends to exercise its right to extend its territorial waters up to 12 miles, in accordance with international law, when this is considered appropriate.

I would like to request that this letter be circulated as a document of the General Assembly under items 39, 75 and 81 of the preliminary list, and of the Security Council.

(Signed) Christos G. ZACHARAKIS
Permanent Representative